

<input type="checkbox"/> Notice of Filing <input type="checkbox"/> Cross Appeal <input checked="" type="checkbox"/> Interlocutory Appeal <input type="checkbox"/> Additional NOA <input type="checkbox"/> Amended NOA <input type="checkbox"/> Transmittal of Record <input type="checkbox"/> Transmittal of Certif. <input type="checkbox"/> Supplement to ROA <input type="checkbox"/> Supplemental Certif. <input type="checkbox"/> Other	UNITED STATES DISTRICT COURT for the Eastern DISTRICT OF Virginia at <u>Richmond</u> Caption: Betty J. Ostergren v. Robert F. McDonnell, etc.	District Court No.: 3:08-cv-00362-REP 4CCA No.: _____ Consolidated with No.: _____ Case Manager: _____
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Part I

Notice of appeal is enclosed to all parties (except to appellant in civil cases); NOA, docket entries, district court opinion and order, and magistrate judge's recommendation (if applicable) are enclosed to 4CCA.

1. NOA filed: 06/24/2009	4. Fees _____ USA no fee required \$5 filing fee: <input checked="" type="checkbox"/> paid _____ unpaid \$450 docket fee: <input checked="" type="checkbox"/> paid _____ unpaid Pauper status: _____ granted _____ denied _____ pending in dist.ct. Does PLRA Apply? _____ Yes _____ No 3-strikes? _____ Yes _____ No [If PLRA applies, 4CCA sends forms & acts on application]
2. Amended NOA filed:	
3. District Judge: Judge Robert E. Payne	5. Materials Under Seal in District Court: _____ Yes <input checked="" type="checkbox"/> No Party Names Under Seal in District Court: _____ Yes <input checked="" type="checkbox"/> No
6. Court Reporter(s) (list all): Peppy Strahan Coordinator: _____	7. Criminal/Prisoner Cases _____ recalcitrant witness Defendant's Address: _____ on death row _____ in custody _____ on bond _____ on probation

Part II

TRANSMITTAL OF RECORD/CERTIFICATE OF AVAILABILITY OF RECORD

☐ ORIGINAL RECORD ☐ SUPPLEMENT TO RECORD

USE FOR RECORDS IN ELECTRONIC FORM:

☐ **PRO SE:** Automatically transmit assembled electronic record to 4CCA in pro se cases.
 Does electronic record include all filings?
☐ YES ☐ NO
 If NO, list contents and transmittal method for supplement here (supplement must be transmitted): _____

☐ **COUNSELED:** Available for transmittal
 In-court hearing(s) held? _____ YES _____ NO
 All transcript on file? _____ YES _____ NO
 4CCA will request transmittal of record when needed in counseled cases.

USE FOR RECORDS IN PAPER FORM:

☐ **PRO SE:** Automatically transmit paper record to 4CCA in pro se cases.
 List contents by volume number & number of boxes (pleadings, transcript, exhibits, state court records, sealed): _____

☐ **COUNSELED:** Available for transmittal
 In-court hearing(s) held? _____ YES _____ NO
 All transcript on file? _____ YES _____ NO
 4CCA will request transmittal of record when needed in counseled cases.

Deputy Clerk: Laurie C. Breeden Phone: 804-916-2207Date: June 25, 2009